

Application No. 09/461,187
Amendment "B" dated May 16, 2005
Reply to Office Action mailed February 17, 2005

REMARKS

The Office Action, mailed February 17, 2004, considered and rejected claims 1-10, 16, 19-21, 26-28, 30, 31 and 34-36. Claims 1, 6, 16, and 19-21 were rejected as being unpatentable under 35 U.S.C. 103(a) over Braddy (U.S. Patent No. 6,141,759), in view of Ballard (U.S. Patent No. 6,078,960). Claims 26-28, 30, 31, and 34-36 were rejected as being unpatentable under 35 U.S.C. 103(a) over Braddy (U.S. Patent No. 6,141,759). Claims 2, 3, 7, and 8 were rejected as being unpatentable over Braddy in view of Ballard, and in further view of Hecht (U.S. Patent No. 5,535,322).

By this paper, claims 26-28 have been cancelled and claims 1, 6, 16, 19, 30, 31 and 34 have been amended, such that claims 1-10, 16, 19-21, 30, 31 and 34-36 remain pending, of which claims 1, 6, 16, 19, 30, 31 and 34 are the independent claims at issue.

As addressed in the previous responses, and as reflected in the claims listing, the pending application is directed to embodiments in which an on-line server receives a request from a client sends an off-line error message to the client, which indicates that the server is off-line, so that the client can proceed to send the request to another server, and in such a way that the server effectively delegates the request to another server, even though the client is a non-delegable client. Accordingly, "clients that do not have the capability of understanding servers delegating their requests, but do have the capability of understanding the off-line error message, are able to exist in a client-server architecture where the servers do not maintain enterprise-wide directory service-related information." (Specification, p. 4, ll.5-8)

As further described in the specification, and as alluded to in the previous responses, the off-line error message sent by the server, which indicates that the server is off-line, "is technically not true" because the server is fact online. (p. 15, ln. 16; p. 19, ln. 12). Accordingly, this off-line error message is a false error message.

Although this has been argued in previous responses, and is clearly inferred by the previously presented claim language the Examiner has indicated that "certain features of applicant's invention...such as a false off-line error message, upon which applicant relies are not recited in the rejected claims." (Office Action Page 2). Applicants respectfully disagree, in fact, the claims have clearly indicated that the off-line error message is a false error message by stating that "the error message identify[ies] the server as being off-line, even though the server is

Application No. 09/461,487
Amendment "E" dated May 16, 2005
Reply to Office Action mailed February 17, 2005

on-line". Nevertheless, to further advance prosecution by further clarifying the claim language to more explicitly recite the claim limitation recited above, each of the independent claims has herein been amended to explicitly recite that the error message is a false error message.

Support for these claim amendments is clearly supported by the passages of specification identified above that indicate that the error message is "not true." (p. 15, ln. 16; p. 19, ln. 12).

Inasmuch as none of the cited references, alone or in combination teach or suggest that a server send a false off-line error message to a non-delegable client, particularly in combination with the other recited claim elements, the claims should now be found allowable over the art of record.

In fact, Braddy (the primary reference), which is relied upon as disclosing the error message clearly does not teach that a "false error message" is generated or more generally that an off-line error message is generated even though the server is on-line. Instead, the passages cited by the Examiner, and correspondingly related passages, make it clear that an error message is generated when a "request timeout period expires or a request processing fault occurs". This error message is then sent to a content server manager 108 from a network server manager. Col. 22, ll. 1-9, for example.

For at least these reasons, Applicants respectfully submit that the present invention and pending claims are distinguished from the art of record and should therefore be allowed. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 16 day of May, 2005.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 26,851
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant
Customer No. 047973

RDN:JCJ:ahm
ATIM0000000827V001